



THE UNITED STATES ATTORNEY'S OFFICE
DISTRICT *of* NEW HAMPSHIRE

[U.S. Attorneys](#) » [District of New Hampshire](#) » [News](#)

Department of Justice

U.S. Attorney's Office

District of New Hampshire

FOR IMMEDIATE RELEASE

Monday, January 3, 2022

Former Keene Man Pleads Guilty to Fraudulently Obtaining CARES Act Funds

CONCORD - Andre McBreairty, 45, previously of Keene, pleaded guilty in federal court to making false statements to obtain CARES Act funds, United States Attorney John J. Farley announced today.

In response to the ongoing COVID-19 pandemic, Congress passed several measures designed to help small businesses, including the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act created, among other things, the Paycheck Protection Program (PPP). Under that program, businesses could obtain low-interest loans to meet payroll during the first few months of the pandemic. If the money was spent on payroll and other approved purposes such as utilities and rent, the Small Business Administration (SBA) would forgive the loans in full. Congress later passed the Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act, which authorized a second tranche of PPP loans.

The SBA also opened up its Economic Injury Disaster Loan (EIDL) program to businesses. Under the program, businesses could obtain loans for working capital and normal operating expenses. EIDL applicants were also eligible for advances of up to \$15,000, provided certain conditions were met. These advances generally do not need to be repaid.

According to court documents and statements made in court, the defendant lied about his payroll and income to obtain three CARES Act loans. For example, when applying for a loan under the EIDL program, McBreairty falsely claimed that his annual income was \$100,000. When applying for a PPP loan, he generated a false IRS form inflating his 2020 earnings. Overall, McBreairty obtained and misused \$55,316 in CARES Act proceeds that he was not entitled to receive.

McBreairty, who now resides in Pennsylvania, is scheduled to be sentenced on April 14, 2022.

"Although Congress passed the CARES Act to provide financial assistance during the pandemic, some greedy individuals have used fraud to obtain funds they are not entitled to receive," said U.S. Attorney Farley. "By submitting false documents and false information to obtain CARES Act funds, this defendant stole from the American taxpayers. Thanks to the hard work of federal law enforcement agents, he is now being held responsible for his unlawful conduct. As this case demonstrates, we are working closely with our law enforcement partners to identify and prosecute those who defraud federal assistance programs."

“The Treasury Inspector General for Tax Administration aggressively pursues those who endeavor to defraud programs afforded to the American people under the Coronavirus Aid, Relief, and Economic Security Act,” said J. Russell George, Treasury Inspector General for Tax Administration (TIGTA). “We appreciate the efforts of the U.S. Department Justice and our law enforcement partners in this effort.”

This matter was investigated by the Treasury Inspector General for Tax Administration and Social Security Administration’s Office for the Inspector General. The case is being prosecuted by Special Assistant U.S. Attorney Alexander S. Chen and Assistant U.S. Attorney Matthew T. Hunter.

###

On May 17, 2021, the Attorney General established the COVID-19 Fraud Enforcement Task Force to marshal the resources of the Department of Justice in partnership with agencies across government to enhance efforts to combat and prevent pandemic-related fraud. The Task Force bolsters efforts to investigate and prosecute the most culpable domestic and international criminal actors and assists agencies tasked with administering relief programs to prevent fraud by, among other methods, augmenting and incorporating existing coordination mechanisms, identifying resources and techniques to uncover fraudulent actors and their schemes, and sharing and harnessing information and insights gained from prior enforcement efforts. For more information on the Department’s response to the pandemic, please visit <https://www.justice.gov/coronavirus>.

Anyone with information about allegations of attempted fraud involving COVID-19 can report it by calling the Department of Justice’s National Center for Disaster Fraud (NCDF) Hotline at 866-720-5721 or via the NCDF Web Complaint Form at: <https://www.justice.gov/disaster-fraud/ncdf-disaster-complaint-form>.

Topic(s):

Financial Fraud

Component(s):

[USAO - New Hampshire](#)

Press Release Number:

22-002

Updated January 3, 2022